

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Nathaniel Livingston, Jr.,
Plaintiff

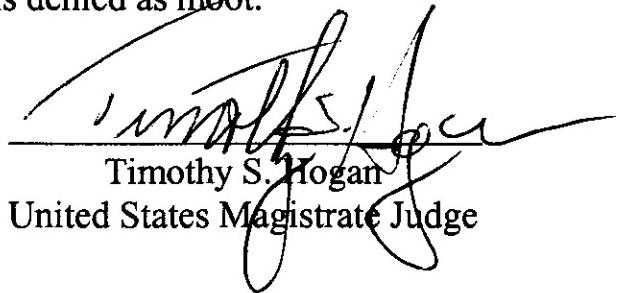
vs

Case No. 1:02-cv-102-TSH
(Hogan, M. J.)

Charles Luken, et. al.,
Defendants

ORDER

This matter is before the Court on plaintiff's motion to dismiss defendant Eubanks, and defendants' motion to stay the proceedings. The parties have consented to the entry of final judgment by the undersigned United States Magistrate Judge. The Court conducted an informal conference in this matter on May 3, 2006. Pursuant to the Court's discussions with the counsel and the parties, plaintiff's motion to dismiss defendant Eubanks will be granted. The claims against defendant Eubanks are hereby dismissed with prejudice, pursuant to Fed. R. Civ. P. 41(b). Consequently, defendants' motion to stay the proceedings is denied as moot.



Timothy S. Hogan
United States Magistrate Judge